

Dear Lord Timpson,

We are writing as a coalition of organisations across the Restorative Justice sector, including national bodies, service providers, victims' organisations, and statutory partners, to raise serious concerns regarding the new policy framework following the Re:Hub review. These concerns reflect extensive new engagement across the sector, including a recent Why me? forum attended by over 75 practitioners from a wide range of services. A summary of this consultation process is attached with this letter.

We strongly welcome the Government's stated commitment to widening access to Restorative Justice (RJ), and the recognition of its potential to support victims' recovery, reduce reoffending and deliver wider social and economic benefits. We also welcome the review of Re:Hub and the proposed enhancements to the Victims' Code of Practice. We support the stated intentions behind the new policy framework to make the process more efficient, to provide greater clarity for victims, and to ensure the safety of everyone involved, especially victims of crime. We also agree that extra safeguards are necessary for the most serious and sensitive cases, to ensure proper public protection.

However, we are deeply concerned that the decision to introduce a presumption that certain offence types and prison categories are "unsuitable" for Restorative Justice unless in exceptional circumstances, will not achieve these aims and will have damaging unintended consequences, representing a significant step backwards for victims' rights and for the development of RJ in England and Wales.

Sending the message across the criminal justice sector that certain crime types are not appropriate for RJ unless in exceptional circumstances is not grounded in any evidence, and is already having a chilling effect across the sector, closing off conversations about RJ for victims in these categories because practitioners do not want to risk setting unrealistic expectations. The

result is that victims of the categories covered by the presumption - a significant proportion of all current RJ cases - will be denied their rights under the Victims' Code to be told about RJ, undermining the government's message of "for every victim, whatever the crime".

International evidence consistently shows that suitability for RJ cannot be determined by crime type or prison category. Instead, it must be assessed case-by-case by trained practitioners, taking into account participants' needs, safety considerations and professional risk assessment. While not every case will be appropriate, we have not, to date, seen any evidence in support of the premise that certain crime types are unsuitable for RJ unless in exceptional circumstances. In fact, there is substantial evidence to the contrary, demonstrating the exceptional victim satisfaction and reductions in reoffending from the use of RJ in these cases. As such, we would be grateful if your department could provide clarity on the evidence used to make this decision. We are especially concerned by the coverage of Category A in the framework, which covers many other crimes aside from those cited specifically.

It is the consensus among the signatories here, and those we consulted, that the new presumption of unsuitability will:

- Remove agency from victims to make informed decisions about their own needs
- Limit access to RJ in ways that contradict the Victims' Code and the Government's wider commitments to strengthening victims' rights
- Reduce opportunities for meaningful accountability and behaviour change
- Prevent skilled practitioners from exercising professional judgement

We urge the review team to consider the following priority changes, to maintain the spirit of your reforms, ensure enhanced safeguards for the most complex cases, but amend the detail, language and messaging that is already creating the above unintended consequences.

1. Replace the language of “presumption of unsuitability” with a requirement for enhanced safety and risk thresholds for complex and sensitive cases, and work collaboratively with the sector to establish what this would look like.

The current wording represents a significant setback for the Restorative Justice sector. Although described as guidance rather than a ban, the effect will be to exclude whole categories of victims from being informed about or accessing Restorative Justice. Many practitioners are seeing only the headline of “unsuitability”, not the nuance of exemptions, especially given there is no clear definition of what constitutes “clear and evidenced justification” for exception. This will reduce referrals, undermine victim choice, and contradict the Victims’ Code of Practice.

We recognise the need for strengthened, standardised safeguards for complex and sensitive cases, and would be glad to work with the department to support this aim. We strongly recommend reframing this section to require higher levels of assessment and safeguarding for certain crime types, rather than presuming unsuitability. We have already been working with providers to understand the safeguards already put in place by services and where they would benefit from more support, and we would be glad to feed this into the upcoming engagement process.

2. Monitor and publish the impact of the policy changes.

There is widespread concern that these proposed changes will have a devastating impact on access to Restorative Justice, at a time when it is needed the most. As the new framework is implemented, Re:Hub must commit to track and share data on referrals, case progression and timeliness. Transparency is essential to ensure accountability, maintain confidence across the sector and support continuous improvement. In particular, the “operational and practical improvements” relating to communication and timeliness must be prioritised and monitored closely.

For victims of even the most serious crimes, access to RJ can be transformative. As Why me? ambassador Janika, who participated in RJ after surviving an attempted murder by her former partner, has said: “I did not want to stay a victim... Restorative Justice was the key that unlocked the door to my future.” The cases of Janika and others such as Jacob Dunne, Joan Scourfield and David Hodgkinson, whose story inspired the play *Punch*, would not go ahead under the new policy.

As you are aware, RJ remains significantly underused and, aside from the Re:Hub reforms, a broader strategic approach remains needed to embed RJ more fully across the justice system, including renewed national action plans, stronger monitoring of Victims’ Code entitlements, and clearer ministerial leadership to raise awareness and drive implementation. We would be glad to work with the department to develop these improvements.

We appreciate the complexity of these decisions. We believe there is much common ground here regarding the intention of your reforms and protecting the public, but their detail and language need urgent revision as they are already having a chilling effect on access to RJ. We look forward to contributing to the consultation phase and to working collaboratively to ensure that any policy changes strengthen safety and risk management without restricting access to Restorative Justice for thousands of people who could benefit from it. Our shared aim is to ensure that RJ is delivered safely, effectively, and in line with victims’ rights.

We look forward to making these points at the forthcoming stakeholder meeting, and we would also be glad to meet with you personally to discuss widening access to RJ across the UK.

Yours sincerely,

Why me?

The Common Ground Justice Project

John Tizard - Police and Crime Commissioner for Bedfordshire

Mark Ansell - High Sheriff of Devon and Cornwall

Shekinah

Restorative Bedfordshire

Restorative Approaches - Janet Clark, Lead

Belong: Making Justice Happen - Esther Wanjie-Nyeko, CEO

Victim Support - Karen Holgate, Operations Manager - Specialist Services

Sussex Pathways - Paula Lee, COO

Restorative Engagement Forum - Charlotte Calkin, Director

Transform Justice - Fionnuala Ratcliffe, Deputy Director

Make Amends - Gemma Leeming, Advanced Accredited Restorative
Justice Facilitator

Cambridgeshire Constabulary - Paige Phelan, Restorative Justice
Coordinator

Lancashire Constabulary - Claire Joule, Restorative Justice and OOCR
Manager

Northumbria Police - Emma Brown, Service Manager

Restorative Gloucestershire - Anneliese Vickers, RJ Case Co-ordinator &
Advanced Practitioner

The Mint House - Rosie Chadwick, Chair of Trustees

Catch 22 - Emma Jones, Assistant Director Victim Services

Professor Tim Chapman - University of Strathclyde

Joan Scourfield - Restorative Justice participant

David Hodgkinson - Restorative Justice participant

William Gilluley - Restorative Justice participant

Teresa Parker - Restorative Justice participant

Nick Dawson - Restorative Justice participant

Ray Smith - Inside Time

Wendy McLean - Resolve West

Christina Heward-Mills - Victim Support

Samantha Duncalf - Victim Support

Nicola Maguire-Alcock - Victim Support

Andrea Slough - Victim Support

Niamh Crabtree - Victim Support
Karen Holgate - Victim Support
Clair Breton - Thames Valley Adult Victims Service
Hugh Shiel - Northumbria Victim & Witness Service
Kerry Baker - Gloucestershire Constabulary
Julie Ellerslie - Gloucestershire Constabulary
Abigail Stevens Stone - The Mint House
Phil Cawley - Liverpool John Moores University
Emily Wills - Restorative Gloucestershire
Alida Maria Hageman - Restorative Justice Gloucester
Jenna O'Connor - Make Amends
Darren Webb - Make Amends
Emma Goddard
Caroline Rountree
Ben Tague
Lucy Evans

Appendix: Sector response to Re:Hub policy proposals

The attached briefing summarises the key issues raised consistently across the sector, including:

1. Acknowledgement of the need for operational improvements
2. Presumptions that restrict victim choice and practitioner judgement
3. Practitioners' views on the new presumption
4. Increasing barriers that further limit access to Restorative Justice
5. Contradiction with the Victims' Code and statutory entitlements
6. A functional ban on Restorative Justice for certain offence categories
7. Risk assessment must be individualised, not determined by offence category
8. A localised model to improve efficiency and maximise resources
9. Current sector safeguarding and risk practices
10. Areas where national guidance would be valuable
11. How Re:Hub can best support safe delivery of RJ
12. Clarity and implementation concerns
13. Key calls from the sector